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15 Attorneys for Plaintiffs

16 *Defendant's Counsel Listed on the Next Page*

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 CORNELIUS CLARK, CHESTER LEWIS,  
21 DAVID MCFARLIN II, JOHN PONDS, AND  
22 GARRANT COSEY, on behalf of themselves and  
23 all other persons similarly situated,

24 Plaintiffs,

25 vs.

26 ANNA'S LINENS, INC.,

27 Defendant.

28 **CLASS ACTION**

Case No. C05-02670-MMC

**STIPULATION AND [PROPOSED] ORDER  
REGARDING EXTENSION OF CLASS  
CERTIFICATION DISCOVERY AND  
BRIEFING SCHEDULES**

Hon. Maxine M. Chesney

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**STIPULATION**

Plaintiffs Cornelius Clark, Chester Lewis, David McFarlin II, John Ponds, and Garrant Cosey ("Plaintiffs") and Defendant Anna's Linens, Inc. ("Anna's Linens") by and through their counsel of record agree that additional time is needed to complete discovery and other the activities necessary to prosecute and defend the motion for class certification that Plaintiffs will file in this case. Specifically, pursuant to the August 1, 2006 Order of Chief Magistrate Judge Larson, Anna's Linens has been ordered to produce certain documents to Plaintiffs. Anna's Linens has informed Plaintiffs that it will complete such production no later than August 18, 2006. The revised deadlines set forth in this proposed stipulation reflect this production schedule. The Parties, hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules as follows:

**Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	11/13/06
Complete non-expert depositions ( <i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	11/13/06

**Expert Discovery and Reports**

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	9/18/06
Plaintiffs' expert(s) to be made available for deposition by	10/2/06
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/23/06
Defendants' expert(s) to be made available for deposition by	11/6/06
Plaintiffs to serve rebuttal expert reports by	11/20/06
Defendant to serve supplemental expert reports by	12/4/06
Expert discovery cut-off	12/4/06

**Class Certification Briefing Schedule**

Motion for Class Certification to be filed by	12/11/06
Defendants' Opposition to Class Certification to be filed by	1/11/07
Plaintiffs' Reply to be filed by	1/21/07
Hearing on Motion for Class Certification (on or after)	2/5/07

1 SO STIPULATED.

2  
3 Dated: August 17, 2006

Respectfully submitted,

4  
5 /s/ Teresa Demchak  
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14 August 16, 2006

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16 /s/ Michael T. Lucey  
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26 ATTORNEYS FOR DEFENDANT

**ORDER**

The Court has considered the above Stipulation, and good cause appearing therefor, the Court modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification discovery and briefing:

**Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	11/13/06
Complete non-expert depositions ( <i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	11/13/06

**Expert Discovery and Reports**

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	9/18/06
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Plaintiffs' Reply to be filed by	1/21/07
Hearing on Motion for Class Certification (on or after)	<del>2/5/07</del> 2/9/07

IT IS SO ORDERED.

DATED: August 18, 2006

  
 THE HONORABLE MAXINE M. CHESNEY  
 UNITED STATES DISTRICT JUDGE